

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Richard Steven Keen

Docket No. 5:04-CR-204-1BO

Petition for Action on Supervised Release

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Richard Steven Keen, who, upon an earlier plea of guilty to Possession of Firearms by a Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924, and Possession of Stolen Firearms, in violation of 18 U.S.C. §§ 922(j) and 924, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on February 17, 2005, to the custody of the Bureau of Prisons for a term of 180 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall pay a special assessment of \$200.00.

On December 8, 2011, pursuant to 28 U.S.C. § 2255, and as a result of the decision in *United States v. Simmons*, the defendant's previously imposed sentence of imprisonment of 180 months was amended to time served. Additionally, the defendant's term of supervised release was amended from 60 months to 36 months.

Richard Steven Keen was released from custody on December 8, 2011, at which time the term of supervised release commenced.

On March 8, 2012, the conditions of supervision were modified to include participation in a vocational training program as directed by the probation office.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On April 13, 2012, the defendant notified the probation officer that he had been arrested and charged with Simple Assault earlier that day. He also stated he was released on his own recognizance. According to Mr. Keen, an acquaintance was making derogatory comments to his mother. At some point, Mr. Keen decided he had heard enough and took matters into his own hands, punching the victim in the face. Mr. Keen admitted his actions were wrong and notified the probation officer immediately. Rather than return to court, we are recommending the defendant participate in the cognitive behavioral program, Moral Reconciliation Therapy, in an effort address how the defendant thinks, makes judgments and decisions about what is right and wrong, and to teach him how to make realistic goals so he can be successful. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: April 20, 2012

ORDER OF COURT

Considered and ordered this 20 day of April, 2012, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge